

**KERRY HODGE, JESSICA CANNON,
JOLANDA KING, and DON MCGEE,**

Plaintiffs,

v.

AHS MANAGEMENT COMPANY, INC.

Defendant.

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) **Civil Action No.: 3:23-cv-01308**
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) **Judge Waverly D. Crenshaw, Jr.**
) **Magistrate Judge Jeffery S. Frensley**
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Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and Local Rule 7.01, Defendant AHS Management Company, Inc. (“Ardent”) moves to dismiss the Consolidated Amended Class Action Complaint (Dkt. No. 23, “CAC”). Plaintiffs fail to establish Article III standing, and thus the CAC should be dismissed pursuant to Rule 12(b)(1) for lack of subject-matter jurisdiction. Specifically, the CAC does not allege any injury in fact that is fairly traceable to Ardent’s conduct. Nor does it allege an imminent and substantial risk of future harm, which is required for Plaintiffs to have standing to seek injunctive relief. Moreover, the CAC fails to state a claim upon which relief may be granted and thus, alternatively, should be dismissed pursuant to Rule 12(b)(6). In support of its Motion, Ardent submits an accompanying Memorandum of Law.

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DATED this 3rd day of June, 2024.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on June 3, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, which includes:

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